REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of December 5, 2008 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

Claims Rejections – 35 USC § 102

Claims 1-10 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Published Patent Application 2001/0027474 to Nachman, *et al.* (hereinafter Nachman).

Applicants respectfully disagree with the rejections and thus have not amended the claims to overcome the cited prior art. However, the language of Claim 1 has been slightly modified to even more clearly define the present invention. Applicants have added Claims 23-34. The added claims are supported by the original disclosure and no new matter has been introduced.

Aspects of the Claims

It may be helpful to reiterate certain aspects recited in the claims prior to addressing the cited references. One aspect of the invention, as typified by Claim 1, is a computer-implemented method for facilitating real time communications for Internet users having a shared interest.

The method can include monitoring a plurality of currently active user sessions, each session being associated with a different user; identifying at least one real-time affinity among the currently active user sessions based on session data associated with the currently active user sessions, an affinity being defined as a shared interest among users of two or more user sessions; responsive to the affinity identification, forming a user group for users of user sessions having an identified affinity; and facilitating the

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users of the user group to engage in real time communication. See, e.g., Specification, paragraphs [0021], [0023], and [0025]; see also Figs. 2 and 3.

The Claims Define Over The Prior Art

Use of the Internet has become ubiquitous throughout much of the world, linking together a myriad of resources and making these resources available to Internet users. Accordingly, Internet users access the Internet to communicate, perform electronic research, conduct commercial transactions, and perform a variety of other tasks. Such Internet usage can be conducted from the privacy of a home, an office, or any other location having an Internet connection. Although the Internet electronically links resources together for the above mentioned purposes, oftentimes Internet usage lacks personal interaction. For example, when evaluating the purchase of consumable goods over the Internet, there typically is not anyone available with whom a consumer can communicate in real time regarding the purchase. Hence, what is needed is a method for facilitating real time communications for Internet users having a shared interest. See Specification, paragraphs [0002]-[0003].

The present invention provides a method and system for creating user groups in a network environment. The method includes the step of monitoring a plurality of user sessions, each associated with a different user. At least one affinity among the user sessions can be identified. Responsive to the affinity identification, a plurality of users can be prompted to engage in communication. For example, users can be provided access to an interaction application. The interaction application can establish a communication pathway between user sessions to facilitate real time communications between users. For instance, the interaction application can include a chat session, an instant messaging session, a newsgroup, and/or a shared application. In another arrangement, a user interface can be presented to at least one user in response to the affinity identification. Session cookies and session objects associated with the user

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sessions can be evaluated to identify affinities. The session objects can include at least one datum, such as a URL which has been accessed, an amount of time on-line, an item in a shopping cart, and/or a user identifier. The user identifier could include information such as a postal code, an area code, a city, a county, a state, a province, a country and/or a continent. See Specification, paragraphs [0004]-[0005].

Nachman discloses a method for sending real-time messages between viewers of a WWW page without using a dedicated client program, transmitting content to such users and transacting secure e-commerce with such users. The system including a messaging module that notifies the messaging server of the users currently viewing a web page and provides auto-downloadable content from a server to any of a specific user, specific group or all users. The message module also provides secure e-commerce content to any of a specific user, specific group or all users. See the Abstract.

Clearly, in Nachman the messaging server can send content to a specific group of users. However, the users in the group do not communicate with one another. In contrast, in the present invention, the users of a user group based on identified affinity communicate with one another in real time.

Paragraphs [0040]-[0041] of Nachman read as follows:

[0040] When browsing a web page supported by the system of the present invention, a user has a link or button, whereby it is possible to receive a list of other users watching the same web page. Upon clicking said link or button, an HTTP query is submitted onto the WSM, which in return provides a list of currently logged on users. Said list may either be displayed as a web page or by a Java applet, depending on the exact implementation. Any Internet user who makes use of the invention is invited to register by providing certain information such as name, age, gender, country of origin, e-mail address etc. User registration can be realized by means of a web page including HTML or WML forms as known to those skilled in the art. Once registered, user details are stored on the Web Messaging Central Server (WMCS). In one embodiment of the present invention, user information may also be stored on the client browser program by means of HTTP or WAY cookies. Upon registration, the UID code assigned to the user is stored on the web browser's cookie file and on

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each access to a WMS, the UID code serves to identify the user according to the registered details included in the WMCS database.

[0041] After requesting a list of other Internet users in a given web page, the requesting user may send a pop-up message to one or more users on said list. In the preferred embodiment, the user wishing to send a message marks the details of the recipients and clicks the COMPOSE MESSAGE button. An HTTP form is then displayed, wherein message details are to be entered. Once message text is entered, the user clicks SEND MESSAGE. Another HTTP form is submitted onto WMS, which in turn notifies recipients that a message has arrived thereto. In the event that recipient uses an HTML or WML based messaging module, upon each refresh of the HTML or WML frame, WMS has the ability to display messages from the WMS. Since the messaging module's frame is typically hidden, a pop-up HTML or WML window may be used. In the event that a Java applet based messaging module is used, WMS opens a socket connection to the recipient's messaging module, thereby informing of an incoming message to be displayed.

It is noted that although the above paragraphs describe that a user may send a message to another Internet user, Nachman does not disclose that a group of users formed based on an identified shared interest engage in real time communication as in the present invention. It is also noted that in the present invention the users do not have to be watching the same web page to be identified as having a shared interest; conversely, the users watching the same web page do not necessarily have a shared interest or affinity.

Accordingly, Nachman fails to disclose or suggest each and every element of Claims 1, 23, and 33. Applicants therefore respectfully submit that Claims 1, 23, and 33 defines over the prior art. Furthermore, as each of the remaining claims depends from Claims 1, 23 , or 33 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claim rejections under 35 U.S.C. § 102 be withdrawn.

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CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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